

COMMISSIONERS APPROVAL

CHILCOTT *gj*

THOMPSON *at*

LYONS

PLETTENBERG (Clerk & Recorder

Date.....February 21, 2007

Members Present.....Commissioner Greg Chilcott,  
Commissioner Alan Thompson and Commissioner Howard Lyons

Minutes: Glenda Wiles

The Board met with members of the Airport Advisory Board to discuss changes on the Rules and Regulations for the Airport. Present was Airport Manager Page Gough, Airport Board Chairman Dave Hedditch, Airport Board Members Jim Trowbridge, Fred Haaskamp, and Tex Irwin. Also present was Civil Counsel Alex Beal, vendors at the airport and members of the public.

Dave stated the Minimum Commercial Standards were changed by resolution and now the Advisory Board has worked on the necessary changes for the Airport Rules and Regulations. They would like the Commissioners to review the changes and move forward with a public hearing to adopt the changes. When those changes are made there will also be some minor changes needed within the leases.

Commissioner Chilcott asked about Section 5-106, which addresses pets at the airport. Dave stated they included Ordinance #16 in the rules which require all pets to be in control of their owner.

Commissioner Chilcott asked about Section 5-112 which utilizes the word 'reasonable requirements'. Dave stated regulations for builders utilize the word 'reasonable requirements'. Commissioner Thompson stated he feels the word reasonable and prudent makes sense. Alex asked if there are FAA rules that allow them to determine what is 'reasonable'. Dave answered no. The FAA regulations do not say you can not have a go cart on the run way, but it is reasonable to not allow a go cart.

Tex addressed Section 5-113; stating they need to add the word 'renewal of' in the last sentence.

Commissioner Chilcott asked about Section 5-115 and the overnight allowance of parking. He suggested they use 'more than 24-hours' rather than overnight.

It was also agreed to add the words and 'will be towed at the end of seven days at the owners' expense.' at the end of the sentence on Section 5-115.

Discussion included the definition under Section 5-116. Alex suggested they include language that would include citing the FAA or other circular requirements. After further discussion it was agreed to leave definitions as is.

Under Section 5-306 it was agreed to place "(See Fee Rates)" after the late fee sentence in order to make the wording more understandable.

Under Section 5-408 it was agreed to utilize the word 'shall' rather than 'will'.

Under Section 5-505 it was agreed to add the wording 'The aircraft shall not' be removed...

Under Section 5-506 it was agreed to utilize the word 'aircraft owner' rather than 'Lessee'.

Bill Stewart asked about the leases for ten or 20 years. He stated the statutes allow a 20-year lease but the Commissioners only want to allow a 10-year lease. Commissioner Chilcott stated there is some conflict of state law as one statute allows the Commissioners to lease properties for up to 10 years. However, under the airport statutes leases are allowed up to 20-years. Commissioner Chilcott stated the Commissioners have always renewed the leases so there has never been a problem.

Fred stated under Title 67 of the statutes, 40-year leases are allowed.

Commissioner Thompson stated shorter leases allow more flexibility. He echoed the fact that the Commissioners have always renewed the leases, unless there was a problem with the Lessee. Commissioner Chilcott stated it is also a legacy issue so they do not bind future boards to 40-year leases.

Bill stated with him it is a 'paranoia issue', as he does not want the county to sell the property when he has built up his business.

Alex reviewed statutes for municipal airports, which allows a greater time length. He stated the county is safe to lease for 10-years and might be in trouble allowing the 20-year lease.

Fred stated the FAA researched this several years ago and their opinion was the lease can be up to 40-years with discretion by the Commissioners. Alex stated the intent of the code is to allow leases up to 10-years for county-owned property. Page stated the code also defines municipal airports as county airports.

Tex stated from his history, the terms of the leases depend upon the capital expended on the hangars. Lending institutions will not want to loan money for short term leases. He

stated the Commissioners have that discretion. He also noted by taking federal funds, the airport must be utilized for an airport and not 'sold off'. Tex also stated if a 10-year lease is ended, why not allow the manager to extend the 10-year lease. Commissioner Chilcott stated the Commissioners are the lesser and they do not want to delegate that authority.

After reviewing the statute under municipal airports, Alex noted the leases are allowed up to 40-years. Dave stated under the Homeland Security Act they encourage long term leases. Commissioner Thompson stated Section 5-601 allows the Commissioners that flexibility. Also under this section, add the wording 'Board of Ravalli County Commissioners', rather than commissioners.

Under Section 5-602; Commissioner Chilcott suggested they add the language 'terminating a lease' rather than charging the lessee for the work. It was agreed to add the word 'may terminate the lease or'...

Under Section 5-606; it was agreed to add 'with proper permits issued by Environmental Health'.

Under Section 5-608; add the language 'without review of the Airport Board and prior approval of the Board of Ravalli County Commissioners'. Commissioner Chilcott suggested they use the word 'improvement's under the definition section and to add the wording 'unimproved leases'. Alex stated it is important to be particular in the definitions and to add C and D for 'unimproved and improved land leases'.

Under Section 5-604; it was agreed to add another definition of a sign and parameters of signage, giving the Airport Manger the responsibility of approving the signs.

Under Section 5-609; add the word 'as per industry standard' and possibly delete the bond required if language is included that allows for termination of the lease if not done properly.

Commissioner Thompson made a motion to have a public hearing on the amendment to the Airport Rules and Regulations on March 13<sup>th</sup> at 10:30 a.m. Commissioner Lyons seconded the motion and all voted "aye".

In other business the Board met with Internal Auditor Klarryse Murphy and Clerk and Recorder Regina Plettenberg in regard to the cost for the upcoming April and June elections. Regina stated the two new Commissioners will not take their seats until the middle of June. The cost of one election is approximately \$33,000.00; for a total of approximately \$70,000.00.

Discussion also included the cost of two new Commissioners for the half month, the new Secretary I (rather than another Administrative Assistant) for three or four months, and cost of computers, equipment etc. for the new positions.

Klarryse noted after a discussion with Regina there appears to be \$27,000 left over from the election equipment recently purchased. Regina stated she will need to purchase two more M100 machines which will still leave the \$27,000.

Klarryse also noted they might have approximately \$40,000 left over from the DFS Attorney contract budget line. In order to pull out more money, she factored in department budget appropriations, removing a percentage of .0411%. This percentage generates \$57,500.00 towards the necessary funding required for changes. Discussion also included any attrition monies left from positions not being filled and any litigation monies that might not be utilized.

The Commissioners concurred that they will be learning the construction costs later this date and after a better cost is calculated, Klarryse can move forward with a percentage removal from the department budget appropriations. It was agreed the percentage amount may change depending upon the calculated costs.

It was also noted the salaries benefits and new clerical staff costs will be carried over to the following budget years. Commissioner Chilcott stated these costs will result in a loss of services and possibly positions that might be cut.

It was also agreed to add special line items within the Commissioners' budget so the tracking of these costs can be calculated properly for future elections and cost of the transition from three Commissioners to five.

After the exact costs are calculated the Commissioners will hold a department head meeting on March 8<sup>th</sup> in regard to the budget cuts by percentage.

The Board met with Montana Department of Transportation Officials Doug Bailey, Danielle Bolan and Glen Cameron in regard to the county's request for a speed zone study request on US 93 and the Stevensville "Y". Commissioner Thompson stated the Commissioners have concerns over this intersection due to the recent child pedestrians struck by vehicles. Danielle explained the process for requesting a speed zone study and the speed limits that are set by the State Transportation Commission. Danielle also explained special speed limits on rural roads other than U.S. Highway. The speed study will be given to the Commissioners for their review prior to any decision to set the speed limit. They have had an internal request by a State Department of Transportation official along with the Ravalli County Commissioners to prepare a speed study, so this study and report should be finished by April. Therefore the Ravalli County Commissioners will not have the full 60-days for review.

Doug Bailey stated they will review the last three years of accidents, changes in rural to urban population, speed checks through the use of radar and then proceed to set the speed limit at the 85<sup>th</sup> percentile.

Commissioner Thompson indicated he slows down at Kootenai Creek and does not increase his speed until he passes the businesses at the "Y". However other vehicles do

not, and the traffic moves very quickly for the area that has been developed over the past 2-3 years. He stated he also has concern as does the community about the two pedestrians that were struck in that area just recently.

Commissioner Chilcott felt the past two accidents are extraordinary and he would hope they would review this in regard to the changes in the area. Danielle indicated they review all factors including the curbside community which is what exists along the roadway itself. Danielle also indicated the Commissioners are welcome to attend the Transportation Committee meeting. She stated they can also address lighting concerns, not just traffic speed. The reconstruction of this portion of the highway is not scheduled for another year and a half, so they can also review other mitigating factors. Doug stated the last speed study was in 2000 and at that time there was a recommendation of 'no change'. However, with the upcoming project, there was an expected change in traffic control.

Glen stated any public comments should come through the Commissioners' Office, which should be in writing and can be included in the Commissioners' response to the speed study.

In other business the Board met to discuss and possibly make a decision on the administrative center renovation. Present at this meeting were Internal Auditor Klarryse Murphy and Earl Jones of KC Construction. Earl presented a proposal and contract for the renovation of the Commissioners' Office area to accommodate two more offices in the amount of \$12,740.85. Commissioner Lyons made a motion to accept this proposal. Commissioner Thompson seconded the motion and all voted "aye".

In other business the Board met to review a proposal from First Interstate Bank for a MasterCard Multicard usage agreement. It was noted that Glenda and Accountant Jana Exner had met with Bank President Monte Drake and marketing representatives in a previous meeting in order to learn and understand how the multi-card credit card accounting and use works. That information was passed on to the Commissioners. After review with Marie, Commissioner Thompson made a motion to enter into this agreement after review of the actual contract by Civil Counsel. Commissioner Lyons seconded the motion and all voted "aye".